

2000.24886-1

**MEMORANDUM OF UNDERSTANDING
TO
THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR NEWPORT HILLS**

The Covenants, Conditions and Restrictions of Newport Hills ("C,C&Rs") have been recorded as document No. 94-29597 in the office of the County Recorder of Deschutes County, Oregon, and cover the real property know as Lots 1 through 89, of the Forest Hills Subdivision, Phases I, II, III and IV, County of Deschutes, State of Oregon.

Subsection 8.2 of Section 8 is inconsistent with the Oregon Planned Community Act. The Oregon Planned Community Act at OSR 94.590 states the Homeowners Association may amend the CC&Rs only by a vote or agreement of the owners representing 75 percent of the total votes in the planned community or any larger percentage specified in the CC&Rs.

ORS 94.770 indicates that in the event there is a conflict between the CC&Rs and the Planned Community Act, the Oregon Planned Community Act shall control. The affect of the law is to nullify the current requirement of Newport Hills CC&Rs that require a 51 percent majority to amend, and to accept the requirement of a 75 percent majority for any amendments to the CC&Rs.

The undersigned, as a current elected member of the Board of Directors for the Newport Hills Homeowners Association, certify that this document has been approved by the Board to clarify legal requirements for the Homeowners Association.

By:



Tom Ratcliffe, Vice President

Return to:
Jill Rentas, Secretary
Newport Hills Homeowners
PO Box. 8081
Bend, Oregon, 97708

2000-24886-2

STATE OF OREGON

COUNTY OF DESHCUTES

On this 22nd day of June, 00, before me, the undersigned Notary Public, personally appeared Tom Ratcliffe, Vice President of Newport Hills Board of Directors, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument, the entity upon behalf of which he acted executed the instrument.

WITNESS my hand and official seal.

Susan Kleismit
Notary Public

